

I am very concerned that legislation being considered to protect the intellectual property of media companies is being drafted in ways that will have widespread unintentional consequences. For example, the so-called 'Broadcast Flag' Mandate, would make it essentially illegal to develop software to play legitimately purchased digital media. Such freely-developed player software is required if users of newly-developed computer operating systems are to be able to use their computers for viewing such media.

The law may not seek to outlaw the development of new computer systems, but the law combined with the initially limited marketplace for new computer systems would conspire to have just that effect.

Commercial software developers have very little incentive to develop for systems with a small market share, but hobbyists and advocates of open-source software do. So, if you outlaw multimedia software produced by hobbyists and open-source advocates, the end result is that new non-mainstream systems will never have such software. And the end result of that is that such new systems will never achieve widespread popularity.

This cannot be the intent of the law, but it will indeed be one of the effects. I accept the rights of media companies to protect their property, but not in ways that will significantly distort other industries as a side effect. That is too high a price to pay.